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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/553,758	03/14/2006	Yukinobu Tajima	125734	5962

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EXAMINER	
GOINS, DAVETTA WOODS	
ART UNIT	PAPER NUMBER
2612	

MAIL DATE	DELIVERY MODE
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/553,758	TAJIMA ET AL.	
	Examiner	Art Unit	
	Davetta W. Goins	2612	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☐ Responsive to communication(s) filed on _____.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-9* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-9* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

Priority

1. Acknowledgment is made of applicant's claim for foreign priority based on an application filed in March 14, 2006. It is noted, however, that applicant has not filed a certified copy of the Foreign priority document application as required by 35 U.S.C. 119(b).

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which the subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

3. Claims 1-5, 7 and 8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Goldstein et al. (US Pat. 6,881,382 B2) in view of Watkins (US Pat. 5,591,409).

In reference to claims 1, 4, 7, 8, Goldstein discloses a) the claimed emission control means activated by a signal from fire detection means that detects an occurrence of fire, which is met by smoke detector 100 including circuitry that sends a signal to activate an alarm upon the occurrence of either a fire or a low battery condition (col. 5, lines 35-51), and b) the claimed smell-emitting means activated by the emission control means, characterized in that the emission control means includes smell condition-setting means that, which is met by the circuitry of the smoke detector 100 includes a warning stimulus that outputs a fragrance upon the occurrence of a fire (col. 3, lines

36-56; col. 5, lines 35-51). Goldstein does not specifically disclose the claimed means for setting an emission start time of smell to be continuously emitted, or sets an emission time period, emission intervals, and an emission concentration of smell to be intermittently emitted, and the emission control means activates the smell-emitting means according to a smell condition set by the smell condition-setting means. Watkins discloses a device that outputs an aroma from a spray nozzle 8. The device includes a control panel 4 consisting of input buttons 91 for designating scents, controlling fan speed and intensity aromatic chemical emission, programming the timing of the emissions (col. 4, lines 35-44). Since Goldstein discloses circuitry that controls the output of aroma, it would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate the teaching of including a means for programmed times to output aroma from the device, as disclosed by Watkins, such that the aroma will stop outputting a scent when not needed by the user as well as control the desired aromatic effect.

In reference to claim 2, Goldstein discloses the claimed smell-emitting means includes a high-pressure gas cylinder having a gas injection orifice provided with a solenoid valve, and opens the solenoid valve based on a signal from the emission control means so as to emit smell, which is met by the fragrance is emitted in these embodiments by the action of a door, a solenoid valve, a melt polymer, by vaporization due to the addition of heat, or by the action of a fan (col. 3, lines 36-55).

In reference to claim 3, although Goldstein does not disclose the claimed smell-emitting means starts rotational motion based on a signal from the emission control means, and is a screw-type smell-emitting means which is formed such that an air pressure gradually increases towards an injection opening provided with a smell-emitting substance, and which converts rotational motion to air compression, he does disclose the use of a fan to control the output of the fragrance (col. 3, lines 36-56). Watkins discloses an adjustable directional opening 3 in the second compartment 11 for directing material 6 therefrom toward a selected region beyond the apparatuses, and means such as the fan 13 for blowing air and any aroma producing material 6 therein out from the second compartment 11 through the directional opening 3 toward the selected region (col. 6, lines 54-67; col. 7, lines 1-2). Since Goldstein discloses the use of a fan, it would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate the teaching of using a directional opening along with a fan, as disclosed by Watkins, to distribute an even amount of fragrance within the area or room in which the smoke detector is located.

In reference to claim 5, Goldstein discloses the claimed smell-emitting means includes a smell-emitting substance provided with a heating element that is heated based on a signal from the emission control means, and diffusing means for diffusing smell emitted by heat generation of the heating element, which is met by the fragrance is emitted in

these embodiments by the action of a door, a solenoid valve, a melt polymer, by vaporization due to the addition of heat, or by the action of a fan. Alternatively, the fragrance can be activated by the heat created by friction or by conversion of electrical current, and such systems are designed so that when there is a voltage drop it triggers the generation of heat, which in turn causes the fragrance to be emitted (col. 3, lines 37-56).

4. Claims 6 and 9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Goldstein et al. in view of Watkins as applied to claims 1 and 7 above, and further in view of Dunne (US Pat. 5,642,092).

In reference to claim 6, neither Goldstein nor Watkins disclose the claimed alarm characterized in that the smell-emitting means are provided along an evacuation route with a space therebetween. Dunne discloses a system in which sensory attractant transmitter 38, upon receiving the attractant activation signal 36, transmits an attractant 40 to attract the animals or persons inside structure 12 to exit path 34. Attractant 40 includes any type of attractant which will get the attention of the animals or persons inside structure 12. Such attractants include sounds, smells, visual signals and combinations thereof. Attractant sounds can be produced by a pre-recorded tape or record, or synthesized by an electronic device. Some examples of attractant sounds which work for animals such as dogs or cats include birds chirping, insect buzzing, dog barking, mating cat calls, keys rattling, paper rattling, can opener clicking noises, bells,

chimes or any other similar noises or activities. The sounds can also be personal including voice recordings of the master or parent, or standard recordings including the time honored "Here, kitty, kitty, kitty". As pets are all different, a system which allows an owner to record a specialized sound which is an effective attractant peculiar to that animal is very helpful (col. 3, lines 7-25). Since Goldstein discloses a system in which fragrance is output upon the detection of fire from a smoke detector to alert persons nearby of the fire, it would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate the teaching of providing smell-emitting means along an evacuation route, as taught by Dunne, to ensure that the persons will know the direction to exit the building in which the fire has occurred.

In reference to claim 9, Goldstein discloses a smell-emitting means, which is met by the circuitry of the smoke detector 100 includes a warning stimulus that outputs a fragrance upon the occurrence of a fire (col. 3, lines 36-56; col. 5, lines 35-51). Goldstein does not disclose that when a fire occurs, emission control means, which is activated based on a signal from fire detection means, controls to activate the smell-emitting means intermittently so as to emit smell such that, in an initial stage of the intermittent operation, emission intervals are long and an emission time period is short, and then as time elapses, the emission intervals are reduced and the emission time period is increased gradually, thereby giving warning of fire. Dunne discloses a system in which sensory attractant transmitter 38, upon receiving the attractant activation

signal 36, transmits an attractant 40 to attract the animals or persons inside structure 12 to exit path 34. Attractant 40 includes any type of attractant which will get the attention of the animals or persons inside structure 12. Such attractants include sounds, smells, visual signals and combinations thereof. Attractant sounds can be produced by a pre-recorded tape or record, or synthesized by an electronic device. Some examples of attractant sounds which work for animals such as dogs or cats include birds chirping, insect buzzing, dog barking, mating cat calls, keys rattling, paper rattling, can opener clicking noises, bells, chimes or any other similar noises or activities. The sounds can also be personal including voice recordings of the master or parent, or standard recordings including the time honored "Here, kitty, kitty, kitty". As pets are all different, a system which allows an owner to record a specialized sound which is an effective attractant peculiar to that animal is very helpful (col. 3, lines 7-25). Since Goldstein discloses a system in which fragrance is output upon the detection of fire from a smoke detector to alert persons nearby of the fire, it would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate the teaching of providing smell-emitting means along an evacuation route, as taught by Dunne, to ensure that the persons will know the direction to exit the building in which the fire has occurred. Watkins discloses a device that outputs an aroma from a spray nozzle 8. The device includes a control panel 4 consisting of input buttons 91 for designating scents, controlling fan speed and intensity aromatic chemical emission, programming the timing of the emissions (col. 4, lines 35-44). Since Goldstein discloses circuitry that controls the output of aroma, it would have been obvious to one

of ordinary skill in the art at the time of the invention to incorporate the teaching of including a means for programmed times to output aroma from the device, as disclosed by Watkins, such that the aroma will stop outputting a scent when not needed by the user as well as control the desired aromatic effect.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Davetta W. Goins whose telephone number is 571-272-2957. The examiner can normally be reached on Mon-Fri with every other Fri. off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Daniel Wu can be reached on 571-272-2964. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Davetta W. Goins/
Primary Examiner
Art Unit 2612